REMARKS

This case has been pending more than 5 years. Please reconsider Applicant's arguments. *See, e.g.,* MPEP 707.02 ("Any application that has been pending five years should be carefully studied by the supervisory patent examiner and every effort should be made to terminate its prosecution...the application is to be considered "special" by the examiner.").

Generally, please note Rahman addresses compressed firmware but only compressed data portions thereof. *See, e.g.,* Rahman 2:7-20 ("run-length encoding and pattern compression ... compress a pattern of characters"). If the PTO's position is to the contrary, please confirm that for the record. Various embodiments of Applicant's invention are not so limited. Please consider this point when evaluating the pending claims.

Amended claim 1 includes "merging two sections, each including a header, from an object file into one new section of a firmware module, wherein (a) the new section includes data, executable code, and no more than a single header". The amendment is supported. *See, e.g.,* US 2005/01883668 ¶¶29-30. The asserted art does not address, for example, merging sections and thereby *reducing the number of headers from two headers to a single header.* Nor does the art address merging sections to create a section with data *and* executable code. Please reconsider the rejection.

Amended claim 1 includes "storing the firmware module in memory; wherein the stored module includes the new section, another section including relocation information, and no additional section". The amendment is supported. *See, e.g.,* ¶29. The asserted art does not address, for example, *reducing the total number of sections to two sections.* Please reconsider the rejection.

New claim 28 includes "wherein the unmodified firmware module includes material necessary for the module to properly execute and perform a specific function, and the method further includes flattening the material to produce a modified firmware module still configured to properly execute and perform the specific function." Applicant thanks the Examiner for his helpful guidance on pg. 3 of the Office Action (OA). If new claim 28 does not capture the Examiner's intent, or if Applicant misinterpreted the passage in the OA, please call the undersigned to discuss the matter and thereby foster compact prosecution.

New claim 29 includes "the flattened material is configured to be executed during boot services." In the OA the PTO interprets US 2005/01883668 ¶34 to result in a loss of

functionality. Please note the difference in functionality between [a] boot services and [b] runtime services when considering new claim 29. *See, e.g.,* ¶29, 34. A loss of [b] is not necessarily a loss of [a].

If the Examiner wishes to call the undersigned to discuss embodiments of the invention or asserted art, to facilitate prosecution the undersigned welcomes such a call.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested. Applicant respectfully submits that the independent claims are allowable over any combination of the cited art. Further, the dependent claims are also allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504.

Respectfully submitted,

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